

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 10-2003)

ATTORNEY'S DOCKET NO.

890050.513USPC

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/516424

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371INTERNATIONAL APPLICATION NO.  
PCT/JP03/06922INTERNATIONAL FILING DATE  
June 2, 2003PRIORITY DATE CLAIMED  
May 31, 2002

## TITLE OF INVENTION

METHOD FOR RECORDING DATA IN OPTICAL RECORDING MEDIUM, AN APPARATUS FOR RECORDING DATA IN  
OPTICAL RECORDING MEDIUM AND OPTICAL RECORDING MEDIUM

## APPLICANT(S) FOR DO/EO/US

Tatsuya Kato; and Hideki Hirata

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

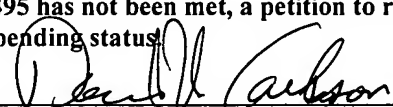
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76
15. ☒ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Redlined Substitute Specification**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/516424</b>		INTERNATIONAL APPLICATION NO. PCT/JP03/06922		ATTORNEY'S DOCKET NUMBER 890050.513USPC	
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1110.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$790.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... <b>\$750.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>	<b>CALCULATIONS PTO USE ONLY</b>																										
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	<b>\$950.00</b> <b>\$ .00</b>																										
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> <th style="width:20%;"></th> </tr> <tr> <td>Total Claims</td> <td>22 - 20 =</td> <td>2</td> <td>x \$ 18.00</td> <td><b>\$36.00</b></td> </tr> <tr> <td>Independent Claims</td> <td>4 - 3 =</td> <td>1</td> <td>x \$ 88.00</td> <td><b>\$88.00</b></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td><b>+ \$300.00</b></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$1,074.00</b></td> </tr> </table>	Claims	Number Filed	Number Extra	Rate		Total Claims	22 - 20 =	2	x \$ 18.00	<b>\$36.00</b>	Independent Claims	4 - 3 =	1	x \$ 88.00	<b>\$88.00</b>	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				<b>+ \$300.00</b>	<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,074.00</b>	<b>\$ .00</b>	
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<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,074.00</b>																							
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	<b>\$ .00</b>																										
<b>SUBTOTAL =</b>	<b>\$1,074.00</b>																										
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	<b>\$ .00</b>																										
<b>TOTAL NATIONAL FEE =</b>	<b>\$1,074.00</b>																										
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property	<b>\$40.00</b>																										
<b>TOTAL FEES ENCLOSED =</b>	<b>\$1,114.00</b>																										
	Amount to be refunded:																										
	Charged:																										

a. <input checked="" type="checkbox"/> A check in the amount of <b>\$1,114</b> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 19-1090 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	<div style="text-align: center;">           _____          SIGNATURE       </div> <div style="text-align: center;"> <b>David V. Carlson</b>          _____          NAME       </div> <div style="text-align: center;"> <b>31,153</b>          _____          REGISTRATION NUMBER       </div>
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**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

<b>David V. Carlson</b> Seed Intellectual Property Law Group PLLC 701 5 <sup>th</sup> Avenue, Suite 6300 Seattle, WA 98104-7092 United States of America (206) 622-4900	
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EXPRESS MAIL NO. EV529825422US

Rec'd PCT/PTO 29 NOV 2004

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DECLARATION

I, Koichi OISHI Patent Attorney, of OISHI & PARTNERS, 4-1, Kandaawajicho 1-chome, Chiyoda-ku, Tokyo, Japan, hereby certify that I am the translator of the documents in respect of PCT International Application No. PCT/JP03/06922 filed on June 2, 2003 and that the following is a true and correct translation to the best of my knowledge and belief.



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Koichi OISHI  
Patent Attorney

Dated: November 9, 2004